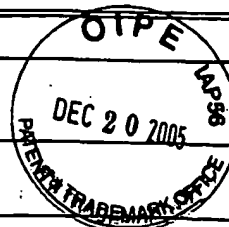


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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JB	62	4,689,405	8/1987	Frank et al.			
JB	86	5,348,855	9/1994	Dattagupta et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JB	61	1 526 708	9/1978	GB			
JB	98	0 119 573 A1	9/1994	EP			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	1	David Kitchin QC and Richard Meade, Affymetrix' Opening Submissions, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, HC 1999 04645, pages 1-81, March 22, 2000, London, United Kingdom.
no pertinent	3	Bird & Bird, Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, January 28, 2000, London, United Kingdom.
	4	Richard Meade, Bristows, Second Defendant's Response to the Claimant's Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-3, June 22, 2000, London, United Kingdom.
	5	Bristows, Particulars of Independently Valid Claims, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-2, June 22, 2000, London, United Kingdom.

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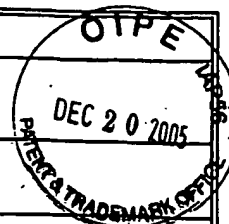
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## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	6	Richard Meade, Bristows, Statement of Reasons, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-4, June 30, 2000, London, United Kingdom.
	7	Bird & Bird, Statement of Opposition, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, June 30, 2000, London, United Kingdom.
	8	Bird & Bird, Re-Re-Re-Amended Particulars of Objections, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, March 13, 2001, London, United Kingdom.
120 Publisher	9	Alastair Wilson QC, Amended Particulars of Claim, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-11, November 26, 1999, Oxford, United Kingdom.
	10	Bird & Bird, Amended Particulars of Infringement, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 12-14, September 1, 2000, London, United Kingdom.
120	11	Richard Meade, Defence and Counterclaim of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-6, August 6, 1999, London, United Kingdom.
	12	Richard Meade, Amended Particulars of Objections of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 21-37, January 15, 2001, London, United Kingdom.

EXAMINER

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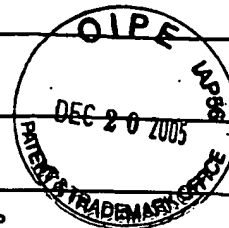
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## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	13	Manches, Re-Re-Re-Amended Reply and Defence of Counterclaim, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 38-46, March 2000, Oxford, United Kingdom.
No publisher	14	Dr. David R. Bentley, Summary of Expert Report, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-38, January 30, 2001, London, United Kingdom.
	15	Dr. David R. Bentley, Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1A-1F, pages 1-124, January 30, 2001, London, United Kingdom.
	16	Dr. David R. Bentley, Annex 1 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-17, January 30, 2001, London, United Kingdom.
	17	Dr. David R. Bentley, Annex 2 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.

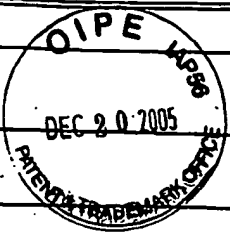
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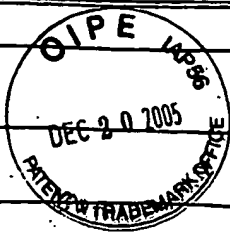
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<i>No published</i>	18	<del>Dr. David R. Bentley, Annex 3 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.</del>					
	19	<del>Dr. David R. Bentley, Annex 4 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.</del>					
	20	<del>Dr. David R. Bentley, Annex 5 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.</del>					
	21	<del>Dr. David R. Bentley, Annex 6 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.</del>					
	22	<del>Dr. David R. Bentley, Annex 7 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.</del>					
	23	<del>Dr. David R. Bentley, Annex 8 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.</del>					
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	24	Dr. David R. Bentley, Annex 9 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.					
	25	Dr. David R. Bentley, Annex 10 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-14, January 30, 2001, London, United Kingdom.					
	26	Dr. David R. Bentley, Annex 11 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-5, January 30, 2001, London, United Kingdom.					
<i>not published</i>	27	Dr. David R. Bentley, Annex 12 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.					
	28	Dr. David R. Bentley, Annex 13 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.					
	29	Dr. David R. Bentley, Annex 14 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.					
	30	Dr. David R. Bentley, Annex 15 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
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<i>no publisher</i>	31	Dr. David R. Bentley, Annex 16 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-38, January 30, 2001, London, United Kingdom.						
	32	Dr. David R. Bentley, Annex 17 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.						
	33	Dr. David R. Bentley, Annex 18 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.						
	34	Dr. David R. Bentley, Annex 19 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.						
	35	Prof. Wolfgang Pfeleiderer, Expert Report and Annex 1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-40 and 1-2, January 19, 2001, Konstanz, Germany.						
	36	Dr. David B. Wallace, Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-55, January 18, 2001, London, United Kingdom.						
	37	Dr. David B. Wallace, Annex 1 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-25, January 18, 2001, London, United Kingdom.						
	38	Dr. David B. Wallace, Annex 2 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-24, January 18, 2001, London, United Kingdom.						
EXAMINER <i>W.S. Bruce</i>			DATE CONSIDERED <i>5 February 2006</i>					

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	39	Dr. Paul H. Silverman, Statement of Dr. Paul Hyman Silverman and Exhibit PS-1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2 and 1-8, November 22, 2000, Irvine, California.
	40	Prof. Edwin M. Southern, First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-10, May 1, 2000, Oxford, United Kingdom.
	41	Prof. Edwin M. Southern, Exhibit EMS-1 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-14, May 1, 2000, Oxford, United Kingdom.
No publication	43	Prof. Edwin M. Southern, Exhibit EMS-2 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-41, May 1, 2000, Oxford, United Kingdom.
No publication	44	Prof. Edwin M. Southern, Exhibit EMS-3 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-58, May 1, 2000, Oxford, United Kingdom.
	45	Prof. Edwin M. Southern, Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-13, January 22, 2001, Oxford, United Kingdom.
	46	Prof. Edwin M. Southern, Annex 4 to Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-7, January 22, 2001, Oxford, United Kingdom.

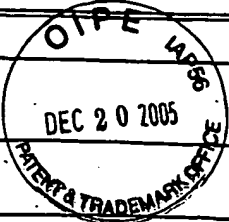
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no publisher	47	Peter Jay Coassin, Witness Statement of Peter Jay Coassin, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-4, January 22, 2001, Fullerton, California.					
	48	Dr. Timothy S. Fell, Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
	49	Dr. Timothy S. Fell, Annex 1 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-5, January 18, 2001, Oxford, United Kingdom.					
	50	Dr. Timothy S. Fell, Annex 2 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-6, January 18, 2001, Oxford, United Kingdom.					
	51	Dr. Timothy S. Fell, Annex 3 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-8, January 18, 2001, Oxford, United Kingdom.					
	52	Dr. Timothy S. Fell, Annex 4 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
	53	Dr. Timothy S. Fell, Annex 5 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 18, 2001, Oxford, United Kingdom.					
	54	Dr. Timothy S. Fell, Annex 6 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
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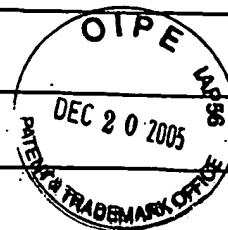


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<i>no pub</i>	55	Stewart L. Huxley, Witness Statement of Stewart Leonard Huxley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 8, 2001, Oxford, United Kingdom.
<i>no pub</i>	56	Martin G. Johnson, Witness Statement of Martin George Johnson, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-7, January 19, 2001, Oxford, United Kingdom.
<i>JLB</i>	57	Ekins R., "Multi-analyte immunoassay", Journal of Pharmaceutical & Biomedical Analysis, Vol. 7, No. 2, pp. 155-168, 1989.
<i>JLB</i>	58	Kimura et al., "An Immobilized Enzyme Membrane Fabrication Method using an Ink Jet Nozzle", Biosensors, Vol. 4, pp. 41-52, 1988.
<i>JLB</i>	59	Geysen et al., "Strategies for epitope analysis using peptide synthesis", Journal of Immunological Methods, Vol. 102, pp. 259-274, 1987.
<i>JLB</i>	60	Monaco et al., "Human Genome Linking With Cosmids and Yeast Artificial Chromosomes", abstract from CSHS, p. 90, 1989.
<i>no pub</i>	63	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Kidlington, United Kingdom.
<i>JLB</i>	64	Ekins R., "Why we should move towards non-isotopic immunoassay?", Presentation at International Symposium on Molecular Probes: Technology and Medical Applications, pp. 1-22, April 11-13, 1988, Florence, Italy.
<i>JLB</i>	65	Lysov et al., "A New Method for Determining the DNA Nucleotide Sequence by Hybridization with Oligonucleotides", Doklady Biochemistry, Vol. 303, pp. 436-438, Nov-Dec 1988.

EXAMINER

DATE CONSIDERED

*JLB Bruner* 5 February 2006

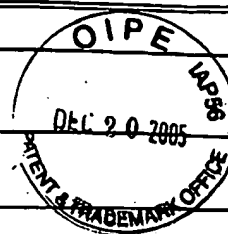
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	66	Professor Edwin Southern, Witness Statement of Professor Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-40, January 2000, Kidlington, United Kingdom.
	67	Bird and Bird, Notice of Opposition, in the Opposition Proceedings against EP No. 0 619 321 filed by Oxford Gene Technology, pp. 1-15, Oct. 1999, London, United Kingdom.
	68	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Oxford, United Kingdom.
No publication	69	Morris, Nichols, Arsht & Tunnell, Defendant's Motion for Leave to File a Second Amended Answer, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, April 2000, Wilmington, Delaware.
	70	Dale Davis, Expert Report of Dale Davis, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-37, August 2000, Wilmington, Delaware.
	71	Grant Morgan, Expert Report of Grant Morgan, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-15, August 2000, Atascadero, California.
	72	Dr. Elias Corey, Expert Report of Dr. Elias James Corey, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-10, August 2000, Wilmington, Delaware.
	73	Dr. James Wetmur, Expert Report of Dr. James G. Wetmur, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-29, August 2000, Wilmington, Delaware.
	74	Morris, Nichols, Arsht & Tunnell, Memorandum of Points and Authorities In Support of Affymetrix's Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-13, September 2000, Wilmington, Delaware.

EXAMINER

J.S. Brown

DATE CONSIDERED

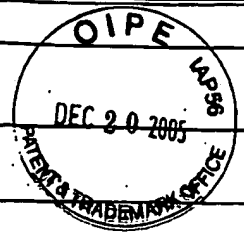
5 February 2006

## INFORMATION DISCLOSURE STATEMENT

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U.S. DEPARTMENT OF COMMERCE  
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(Use several sheets if necessary)

Date Submitted to PTO: December 20, 2005

ATTY DOCKET NO.  
99\_1174SERIAL NO.  
09/422,804APPLICANT  
Edwin SouthernFILING DATE  
October 22, 1999GROUP  
1631

## U.S. PATENT DOCUMENTS

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## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


	75	Dr. James Wetmur, Declaration of James G. Wetmur in Support of Affymetrix's Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Palo Alto, California.
	76	Dr. James Wetmur, Expert Rebuttal Report of Dr. James G. Wetmur, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-45, September 2000, Palo Alto, California.
	77	Dr. Martin Adelman, Expert Report - Martin J. Adelman, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, August 2000, Washington, D.C.
no publisher	78	Dr. Elias Corey, Declaration of Dr. Elias James Corey in Support of Affymetrix' Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Cambridge, Massachusetts.
	79	Pretrial Order Exhibits 1-5 and 12-13, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-110, October 2000, Wilmington, Delaware.
	80	Transcript of Markman Hearing, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-149, October 2000, Wilmington, Delaware.
JLB	81	Wada A., Abstracts of Presentations at International Workshop on Automatic and High Speed DNA Base Sequencing, pp. 2-11, July 7-9, 1987, Okayama, Japan.
JLB	82	Wallace et al., "Hybridization of synthetic oligodeoxyribonucleotides to phi and 174 DNA: the effect of single base pair mismatch", Nucleic Acids Research, Vol. 6, No. 11, pp. 3543-3557, 1979.
JLB	83	Uwe Maskos, "A novel method of nucleic acid sequence analysis", Maskos Thesis submitted to University of Oxford, pp. 2-161, New College, Oxford, 1991.

EXAMINER

DATE CONSIDERED

5 February 2006

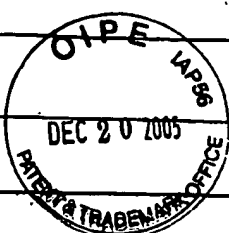
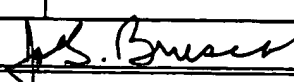
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)															
JB	84	Bannworth, W. et al., "A System for the Simultaneous Chemical Synthesis of Different DNA Fragments on Solid Support", DNA, Vol. 5, No. 5, pp. 413-419, 1986.													
JB	85	Lohrmann, R. et al., "New Solid Supports for DNA Synthesis", Fourth Annual Congress for Recombinant DNA Research, p. 122, 1984.													
JB	87	Goldkorn, T. et al., "A simple and efficient enzymatic method for covalent attachment of DNA to cellulose; Application for hybridization-restriction analysis and for in vitro synthesis of DNA probes", Nucleic Acids Research, Vol. 14, No. 22, pp. 9171-9191, 1986.													
JB	88	Duncan, C. et al., "Affinity Chromatography of a Sequence-specific DNA Binding Protein Using Teflon-linked Oligonucleotides", Analytical Biochemistry, Vol. 169, pp. 104-108, 1988.													
JB	89	Voss et al., "A simple and efficient method for covalently attaching oligonucleotides to a cellulose support matrix", Biochemical Society Transactions, 165th meeting, London, pp. 367-368, 1987.													
JB	90	Nicholls, P. et al., "Nucleic Acid Analysis by Sandwich Hybridization", Journal of Clinical Laboratory Analysis, Vol. 3, pp. 122-135, 1989.													
JB	91	Wallace, R. et al., "The use of synthetic oligonucleotides as hybridization probes. II. Hybridization of oligonucleotides of mixed sequence to rabbit beta-globin DNA", Nucleic Acids Research, Vol. 9, No. 4, pp. 879-894, 1981.													
no copy provided		92	File wrapper of S.N. 07/593,589 now abandoned. <i>filing date 02 October 1990, Dattagupta et al.</i>												
JB	93	File wrapper of S.N. 07/772,625 maturing into US 5,348,855 on September 1994 to Dattagupta et al., <i>filing date 04 October 1991</i>													
EXAMINER <i>JB. Bruce</i>				DATE CONSIDERED <i>5 February 2006</i>											

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JES	94	Sproat, B. et al., "A new linkage for solid phase synthesis of oligonucleotides", Nucleic Acids Research, Vol. 13, No. 8, pp. 2979-2987, 1985.													
JES	95	Kremsky, J. et al., "Immobilization of DNA via oligonucleotides containing an aldehyde or carboxylic acid group at the 5' terminus", Nucleic Acids Research, Vol. 15, No. 7, pp. 2891-2909, 1987.													
JES	96	Wolf, S. et al., "Rapid hybridization kinetics of DNA attached to submicron latex particles", Nucleic Acids Research, Vol. 15, No. 7, pp. 2911-2926, 1987.													
JES	97	Atkinson, T., "A convenient procedure for the synthesis of oligodeoxyribonucleotide affinity columns for isolation of mRNA", Nucleic Acids Research, Vol. 16, No. 13, p. 6232, 1988.													
	99	Court Transcript of Technology Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-72, December 2003, Wilmington, Delaware.													
no publisher	100	Blank Rome LLP, OGT's Technology Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2003, Wilmington, Delaware.													
no publisher	101	Ashby & Geddes, Defendant Mergen, Ltd.'s Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-11, December 2003, Wilmington, Delaware.													
no publisher	102	Patton Boggs LLP, Defendant Clontech Laboratories Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-33, December 2003, Wilmington, Delaware.													
	103	Kirkland & Ellis LLP, Letter to Perkins Coie LLP enclosing OGT's Claim Terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-6, April 2004, Chicago, Illinois.													
EXAMINER <span style="float: right;">J.S. Bruner</span>						DATE CONSIDERED <span style="float: right;">5 February 2006</span>									

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	104	Perkins Coie LLP, Mergen Ltd.'s Claim Terms and Proposed Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-7, April 2004, Menlo Park, California.					
	105	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-10, May 2004, New York, NY.					
	106	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-13, June 2004, New York, NY.					
no publisher	107	Potter Anderson & Corroon LLP, Defendant Mergen Ltd.'s Third Set of Supplemental Responses to Oxford Gene Technology Ltd's First and Second Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-45, June 2004, Wilmington, Delaware.					
no	108	Blank Rome LLP, Oxford Gene Technology Ltd.'s Claim Construction Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-186, July 2004, Wilmington, Delaware.					
no	109	Potter Anderson & Corroon LLP, Mergen Limited's Opening Claim Construction Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-37, July 2004, Wilmington, Delaware.					
	110	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-9, August 2004, Wilmington, Delaware.					
	111	Potter Anderson & Corroon LLP, Declaration of Norbert Stahl in Support of Mergen Limited's Reply Brief in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-58, August 2004, Wilmington, Delaware.					
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	112	Blank Rome LLP, Oxford Gene Technology's Claim Construction Brief In Response to Mergen's Claim Construction Briefing, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-118, August 2004, Wilmington, Delaware.					
	113	Order and Memorandum Opinion of the U.S. District Court on Claim Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-20, September 2004, Wilmington, Delaware.					
no publisher	114	Order and Memorandum Opinion of the U.S. District Court on Expert Reports, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-23, November 2004, Wilmington, Delaware.					
no publisher	115	Order and Memorandum Opinion of the U.S. District Court on Summary Judgment, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-39, November 2004, Wilmington, Delaware.					
no publisher	116	Potter Anderson & Corroon LLP, Mergen Limited's Motion for Reconsideration of the Court's Order Granting in Part Oxford Gene Technology Limited's Motion for Partial Summary Judgment of Infringement, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-16, December 2004, Wilmington, Delaware.					
	117	Blank Rome LLP, Oxford Gene Technology Limited's Opposition to Mergen Limited's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2004, Wilmington, Delaware.					
	118	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Reconsideration of the Court's Order, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-8, December 2004, Wilmington, Delaware.					
	119	Blank Rome LLP, Letter to Judge Jordan re claim terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-2, January 2005, Wilmington, Delaware.					
EXAMINER		DATE CONSIDERED					

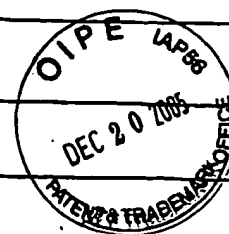
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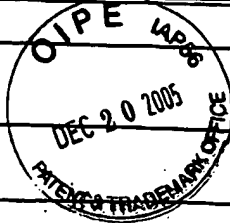
no publisher	120	Order of the U.S. District Court on Mergen's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-5, January 2005, Wilmington, Delaware.
JEB	121	Khrapko, K. et al., "An oligonucleotide hybridization approach to DNA sequencing", FEBS, Vol. 256, Nos. 1-2, pp. 118-122, October 1989.
no publisher	122	Potter Anderson & Corroon LLP, Telechem International, Inc.'s Responses to Oxford Gene Technology Ltd's First Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Telechem International et al., U.S. District Court for the District of Delaware, CA No. 04-013, pp. 1-22, October 2004, Wilmington, Delaware.
JEB	123	Polsky-Cynkin, R. et al., "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich Hybridization", Clinical Chemistry, Vol. 31, No. 9, pp. 1438-1443, 1985.
no publisher	124	Michael Best & Friedrich LLP, Oxford Gene Technology Limited's Opening Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-81, December 2003, Chicago, Illinois.
no publisher	125	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-39, January 2004, Chicago, Illinois.
no publisher	126	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits A-Z, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-195, January 2004, Chicago, Illinois.
	127	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits A(1)-G(1), the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-51, January 2004, Chicago, Illinois.
	128	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits 1-3, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-23, January 2004, Chicago, Illinois.

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	129	Michael Best & Friedrich LLP, OGT's Reply to Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-21, March 2004, Chicago, Illinois.					
	130	Michael Best & Friedrich LLP, OGT's Exhibit A Claim Chart, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-10, March 2004, Chicago, Illinois.					
	131	Michael Best & Friedrich LLP, OGT's Exhibit 1-9, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-139, March 2004, Chicago, Illinois.					
<i>no publisher</i>	132	Michael Best & Friedrich LLP, OGT's Exhibit H-R, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-222, March 2004, Chicago, Illinois.					
	133	Civil Docket for CA No. 99-0348, Oxford Gene Technology (OGT) v. Affymetrix, Inc., U.S. District Court for Delaware, pp. 1-36, April 2005, Wilmington, Delaware.					
	134	Civil Docket for CA No. 02-1695, Oxford Gene Technology (OGT) v. Mergen, Ltd., U.S. District Court for Delaware, pp. 1-31, April 2005, Wilmington, Delaware.					
	135	Civil Docket for CA No. 04-0013, Oxford Gene Technology (OGT) v. Telechem International, Inc., U.S. District Court for Delaware, pp. 1-7, April 2005, Wilmington, Delaware.					
	136	Civil Docket for CA No. 02-1687, Oxford Gene Technology (OGT) v. Nanogen, Inc., U.S. District Court for Delaware, pp. 1-5, April 2005, Wilmington, Delaware.					
	137	Civil Docket for CA No. 02-9344, Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, pp. 1-4, April 2005, Chicago, Illinois.					
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JLB	AA	4,216,245	8/1980	Johnson	427	2	
JLB	AB	4,395,486	7/1983	Wilson et al.	435	6	
JLB	AC	4,563,419	1/1986	Ranki et al.	435	6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JLB	AD	0 235 726	9/1987	EP				
JLB	AE	0 171 150	2/1986	EP				
JLB	AF	85/01051	3/1985	WO				
JLB	AG	0 268 237	5/1988	EP				
	AH							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AI	Declaration from Radomir Crkvenjakov (with four exhibits), September 1996.
	AJ	Declaration from Ivan Labat, September 1996.
	AK	Statement from the Institute of Molecular Genetics and Genetic Engineering (IMGGE) in Belgrade, September 1996.
	AL	Statement by Professor Roger Ekins (with an abstract of a lecture given by him on 4/11/88 at a symposium, and a post-published paper corresponding to said lecture), December 1996.
no publisher	AM	Statutory Declaration of Dr. Nicholas Vaughan Ashely (with Exhibit NVA1), May 1995.
	AN	Statutory Declaration of Dr. William Bains (with Exhibits WB1, WB2 and WB3), May 1995.

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1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JLB	BA	4,704,353	11/1987	Humphries et al.	435	4	
JLB	BB	4,327,073	4/1982	Huang	424	1	
JLB	BC	4,728,502	3/1988	Hamill	422	116	
JLB	BD	5,002,867	3/1991	Macevicz	435	6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JLB	BE	88/01302	2/1988	WO				
JLB	BF	86/03782	7/1986	WO				
JLB	BG	0 238 332	9/1987	EP				
JLB	BH	2 156 074	10/1985	GB				
JLB	BI	0 237 362	9/1987	EP				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	BJ	Declaration of Professor Lubert Stryer, January 1997.
	BK	Statutory Declaration of Dr. William Bains, January 1997.
	BL	Statutory Declaration of Dr. Nicholas Vaughan Ashley, January 1997.
no publisher	BM	Declaration of Edwin Mellor Southern (with Exhibits EMS1 and EMS2), January 1998.
	BN	Declaration of Dr. Thomas Gingeras, January 1999.
	BO	Declaration of Professor Calvin Quate, January 1999.

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JLB	CA	5,202,231	4/1993	Drmanac et al.	435	6	
JLB	CB	5,474,796	12/1995	Brennan	427	2.13	
JLB	CC	5,429,807	7/1995	Matson et al.	422	131	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JLB	CD	89/11548	11/1989	WO				
JLB	CE	93/22480	11/1993	WO				
JLB	CF	0 386 229	9/1990	EP				
JLB	CG	0 281 927	9/1988	EP				
JLB	CH	0 130 739	1/1985	EP				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	CI	Declaration of Dr. Glenn Mc Gall, January 1999.
	CJ	Declaration of Edwin Mellor Southern, July 2001.
no publisher	CK	Bird & Bird, "Claimant's Notice of Experiments", In the United Kingdom Litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-12, July 31, 2000, London, United Kingdom.
	CL	Declaration of Marvin Stodolsky, October 1996.
JLB	CM	M. S. Urdea et al., "A novel method for the rapid detection of specific nucleotide sequences in crude biological samples without blotting or radioactivity; application to the analysis of hepatitis B virus in human serum", Gene, Vol. 61, 1987, pp. 253-264.
JLB	CN	C. G. Miyada et al., "Oligonucleotide Hybridization Techniques", Methods in Enzymology, Vol. 154, No. 6, 1987, pp. 94-107.

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JLB	DA	4,591,570	5/1986	Chang	436	518	
	DB						
	DC						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JLB	DD	0 228 075	7/1987	EP			
JLB	DE	84/03151	8/1984	WO			
JLB	DF	0 194 132	9/1986	EP			
JLB	DG	0 063 810	11/1982	EP			
JLB	DH	0 130 523	1/1985	EP			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JLB	DI	E. Calva et al., "Analysis of the in vitro Synthesis of 5'- $\gamma$ - <sup>32</sup> P-labeled Transcripts from Coliphage $\lambda$ by Gel Electrophoresis, RNA-DNA Hybridization, and RNase T1 Digestion", The Journal of Biological Chemistry, Vol. 255, No. 22, 1980, pp. 11011-11016.
JLB	DJ	A. R. Dunn et al., "A Novel Method to Map Transcripts: Evidence for Homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome", Cell, Vol. 12, September 1977, pp. 23-36.
JLB	DK	G. Wengler et al., "A Study of Nucleotide Sequence Homology Between the Nucleic Acids of Different Alphaviruses", Virology, Vol. 78, No. 1, 1977, pp. 124-134.
JLB	DL	J. M. Coffin et al., "Structure of the Genome of Moloney Murine Leukemia Virus: A Terminally Redundant Sequence" Cell, Vol. 13, No. 4, April 1978, pp. 761-773.
JLB	DM	A. Palva et al., "Laboratory Methods, Quantification of $\alpha$ -Amylase mRNA in <i>Bacillus subtilis</i> by Nucleic Acid Sandwich with Hybridization", DNA, Vol. 7, No. 2, 1988, pp. 135-142.
JLB	DN	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method", abstract presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.

EXAMINER

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JLB. Busser  
5 February 2006

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	EA						
	EB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
<i>JLB</i>	EC	0 142 299	5/1985	EP				
<i>JLB</i>	ED	86/06487	11/1986	WO				
<i>JLB</i>	EE	84/03564	9/1984	WO				
<i>JLB</i>	EF	86/00991	2/1986	WO				
<i>JLB</i>	EG	92/10092	6/1992	WO				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>JLB</i>	EH	R. Drmanac et al., "Sequencing by Hybridization, Theory of the Method", poster presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.
<i>no publ. info</i>	EI	<del>I. Labat, "Subfragments as an informative characteristic of the DNA molecule - computer simulation", Search Report, Labat Thesis, (and English translation), 1988.</del>
<i>JLB</i>	EJ	R. Frank et al., "Simultaneous Synthesis and Biological Applications of DNA Fragments: An Efficient and Complete Methodology", Methods in Enzymology, Vol. 154, No. 13, 1987, pp. 221-251.
<i>JLB</i>	EK	R. Frank et al., "A new general approach for the simultaneous chemical synthesis of large number of oligonucleotides: segmental solid supports", Nucleic Acids Research, Vol. 11, No. 13, 1983, pp. 4365-4377.
<i>JLB</i>	EL	A. R. Brautigam et al., "Rapid Typing of Herpes Simplex Virus Isolates by Deoxyribonucleic Acid: Deoxyribonucleic Acid Hybridization", Journal of Clinical Microbiology, Vol. 12, No. 2, August 1980, pp. 226-234.
<i>JLB</i>	EM	R. K. Saiki et al., "Analysis of Enzymatically Amplified $\beta$ -globin and HLA-DQ $\alpha$ DNA with Allele-Specific Oligonucleotide Probes", Nature, Vol. 324, November 1986, pp. 163-166.

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*J.S. Bruno*  
*5 February 2006*

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	FA						
	FB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JLB	FC	0 305 929	3/1989	EP			
JLB	FD	0 304 202	2/1989	EP			
	FE						
	FF						
	FG						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JLB	FH	A. Rosenthal et al., "Solid-phase methods for sequencing of nucleic acids I. Simultaneous sequencing of different oligodeoxyribonucleotides using a new, mechanically stable anion-exchange paper", Nucleic Acid Research, Vol. 13, No. 4, November 4, 1985, pp. 1173-1184.					
JLB	FI	B. Lewin, Ed., "Genes", Third Edition, 1987, pp. 360-362, John Wiley & Sons, NY, NY.					
JLB	FJ	R. B. Wallace et al., "Hybridization of Synthetic Oligodeoxyribonucleotides to O <sub>x</sub> 174 DNA: The Effect of Single Base Pair Mismatch", Nucleic Acids Research, Vol. 6, No. 11, 1979, pp. 3543-3557.					
JLB	FK	G. Beltz et al., "Isolation of Multigene Families and Determination of Homologies by Filter Hybridization Methods", Methods in Enzymology, Vol. 100, No. 19, 1983, pp. 266-285.					
JLB	FL	Doklady Biochemistry, Proceedings of the Academy of Sciences of the USSR, Biochemistry Section, Russian Original, Vol. 303, No. 1-6, November-December 1988, pp. 355-452 and Translation from Russian, Consultants Bureau, New York, Plenum Publishing Corporation, 1989, pp. 436-438.					
JLB	FM	F. C. Kafatos et al., "Determination of Nucleic Acid Sequence Homologies and Relative Concentrations by a dot Hybridization Procedure", Nucleic Acids Research, Vol. 7, No. 6, 1979, pp. 1541-1552.					

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JLB. Brueser

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	GB						
	GC						

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	GD						
	GE						
	GF						
	GG						
	GH						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>JLB</i>	GI	R. J. Lipshutz et al., "Using Oligonucleotide Probe Arrays to Access Genetic Diversity", BioTechniques, Vol. 19, No. 3, 1995, pp. 442-447.
<i>JLB</i>	GJ	T. R. Gingeras et al., "Hybridization Properties of Immobilized Nucleic Acid", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5373-5390.
<i>JLB</i>	GK	P.T. Gilham, "The Synthesis of Polynucleotide-Celluloses and Their use in the Fractionation of Polynucleotides", J. Am. Chem. Soc., Vol. 86, November 20, 1964, pp. 4982-4985.
<i>JLB</i>	GL	H. M. Geysen et al., "Strategies for Epitope Analysis using Peptide Synthesis", Journal of Immunological Methods, Vol. 102, 1987, pp. 259-274.
<i>JLB</i>	GM	G. M. Church et al., "Genomic Sequencing", Proc. Natl. Acad. Sci., Vol. 81(7), April 1984, pp. 1991-1995.
<i>JLB</i>	GN	V. J. Kidd et al., " $\alpha_1$ -Antitrypsin Deficiency Detection by Direct Analysis of the Mutation in the Gene", Nature, Vol. 304, July 1983, pp. 230-234.

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*JLB. Bruce*  
5 February 2006

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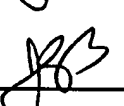




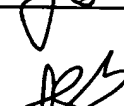
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	HA						
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	HC						
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	HE						
	HF						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	HG	P. Masinkowski et al., "Cloning f cDNA Sequences of Hormone-regulated Gene from the MCF-7 Human Breast Cancer Cell Line", Nucleic Acids Research, Vol. 10, No. 24, 1982, pp. 7895-7903.
	HH	G. K. Sim et al., "Use of a cDNA Library for Studies on Evolution and Development Expression of the Chorion Multigene Families", Cell, Vol. 18, No. 4, December 1979, pp. 1303-1316.
	HI	Margaret L. M. Anderson et al., "Quantitative Filter Hybridisation", Nucleic Acid Hybridisation, A Practical Approach, 1985, pp. 73-111, IRL Press, Washington, D.C.
	HJ	W. Bains et al., "A Novel Method for Nucleic Acid Sequence Determination", J. Theor. Biol., Vol. 135, 1988, pp. 303-307.
	HK	U. B. Voss et al., "The Immobilization of Oligonucleotides and Their Hybridization Properties", Biochemical Society Transactions, Vol. 16, 1988, pp. 216-217.
	HL	Ghosh et al., "Covalent Attachment of oligonucleotides to Solid Supports", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5353-5372.
	HM	<del>Arnold, et al.</del> Federation Proceedings, Vol. 43, No. 7, May 4, 1984, Abstract 3669. "A novel universal support for OnA and RNA synthesis"
	HN	T. Maniatis et al., "Molecular Cloning", A Laboratory Manual, Cold Spring Harbor Laboratory, 1982, p. 282, Cold Spring Harbor, NY.

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	IB						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JLB	IC	C. R. Cantor et al., "Report on the Sequencing by Hybridization Workshop", Genomics, Vol. 13, 1992, pp. 1378-1383.					
JLB	ID	T. L. Bugawan et al., "Rapid HLA-DLB Typing Using Enzymatically Amplified DNA and Nonradioactive Sequencing-Specific Oligonucleotide Probes", Immunogenetics, Vol. 32, 1990, pp. 231-241.					
no author no publisher	IE	Global Technology Group, Flier for PA Consulting Group, 1988.					
JLB	IF	Stephen P. A. Fodor et al., "Light-Directed, Spatially Addressable Parallel Chemical Synthesis", Science, Vol. 251, February 15, 1991, pp. 767-773.					
JLB	IG	U. Maskos et al., "A Study of Oligonucleotide Reassociation using Large Arrays of Oligonucleotides Synthesised on a Glass Support", Nucleic Acids Research, Vol. 21, No. 20, 1992, pp. 4663-4669.					
JLB	IH	U. Maskos et al., "Parallel Analysis of Oligodeoxyribonucleotide (Oligonucleotide) Interactions. I. Analysis of Factors Influencing Oligonucleotide Duplex Formation", Nucleic Acids Research, Vol. 20, No. 7, 1992, pp. 1675-1678.					
JLB	II	J. C. Williams et al., "Studies of Oligonucleotide Interactions by Hybridisation to Arrays: The Influence of Dangling Ends on Duplex Yield", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1365-1367.					
JLB	IJ	E. M. Southern et al., "Arrays of Complementary Oligonucleotides for Analysing the Hybridisation Behaviour of Nucleic Acids", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1368-1373.					
JLB	IK	M. S. Shchepinov et al., "Steric Factors Influencing Hybridisation of Nucleic Acids to Oligonucleotide Arrays", Nucleic Acids Research, Vol. 25, No. 6, 1997, pp. 1155-1161.					
JLB	IL	S. C. Case-Green et al., "Studies on the Base Pairing Properties of Deoxyinosine by Solid Phase Hybridisation to Oligonucleotides", Nucleic Acids Research, Vol. 22, No. 2, 1994, pp. 131-136.					

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	JB						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JCB	JC	U. Maskos et al., "A Novel Method for the Parallel Analysis of Multiple Mutations in Multiple Samples", Nucleic Acids Research, Vol. 21, No. 9, 1993, 2269-2270.
JCB	JD	M. J. Kozal et al., "Extensive Polymorphisms Observed in HIV-1 Clade B Protease Gene Using High-Density Oligonucleotide Arrays", Nature Medicine, Vol. 2, No. 7, July 1996, pp. 753-759.
JCB	JE	M. Chee et al., "Accessing Genetic Information with High-Density DNA Arrays", Science, Vol. 274, October 1996, pp. 610-614.
JCB	JF	Kirk -Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 3, pp. 487-491, 1978.
JCB	JG	Kirk-Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 15, p. 224, 1981.
JCB	JH	R. Polsky-Cynkin et al., "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich Hybridization, Clinical Chemistry, Vol. 31, No. 9, 1985, pp. 1438-1443.
JCB	JI	J. Welsh et al., "Protein-DNA Cross-Linking" TIBS, Vol. 9, December 1984, pp. 505-508.
JCB	JJ	G. H. Parsons, Jr., "Antibody-Coated Plastic Tubes in Radioimmunoassay", Meth., Enzymol., Vol. 73, 1973, pp. 224-238.
JCB	JK	Southern et al., Genomics, "Analyzing and Comprising Nucleic Acid Sequences by Hybridization to Arrays of Oligonucleotides", Vol. 13, 1992, pp. 1008-1017.
	JL	

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J. S. Bruner

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JLB	KA	5,486,452	1/1996	Gordon et al.	435	5	
JLB	KB	4,994,373	2/1991	Stavrianopoulos et al.	435	6	
JLB	KC	4,968,602	11/1990	Dattagupta	435	6	
JLB	KD	4,961,915	10/1990	Martin	422	116	
JLB	KE	4,849,330	7/1989	Humphries et al.	435	4	
JLB	KF	4,451,433	5/1984	Yamashita et al.	422	63	
JLB	KG	5,202,231	4/1993	Drmanac	435	6	
JLB	KH	4,299,916	11/1981	Litman et al.	435	6	

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JLB	KI	84/01031	3/1984	WO			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JLB	KJ	Webster's Third New International Dictionary, G & C Merriam Company, Publishers, Springfield, Massachusetts, USA, 1966, pages with the definitions of the terms "solid" and "sheet".					
JLB	KK	The American Heritage Dictionary, Second College Edition, Houghton Mifflin Company, Boston, Massachusetts, 1991, page with the definition of the term "smooth".					
JLB	KL	The Dictionary of Ceramic Science and Engineering, Plenum Press, New York, NY, 1984 - definition of "smooth glass".					
JLB	KM	Academic Press Dictionary of Science and Technology, San Diego, CA, 1992 - definition of "smooth".					
JLB	KN	S. F. Wolf et al., "Rapid Hybridization Kinetics of DNA Attached to Submicron Latex Particles", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2911-2926.					
JLB	KO	J. N. Kremsky et al., "Immobilization of DNA via Oligonucleotides Containing an Aldehyde or Carboxylic Acid Group at the 5' Terminus", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2891-2909.					

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## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	LA						
	LB						
	LC						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	LD							
	LE							
	LF							
	LG							
	LH							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	LI	Letter to Simon Kiddle from Dr. Renzo Malvano, November 2002.
	LJ	Letter to Simon Kiddle from Dr. Gian Carlo Zucchelli, November 2002.
	LK	Declaration of Professor Alberto Albertini, November 2002.
	LL	Declaration of Dr. Gianni Messeri, November 2002.
	LM	Second Statement of Professor Roger Ekins, January 2003.
no publisher		
EXAMINER	J.B. Bruner	
DATE CONSIDERED	5 February 2006	

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	MA						
	MB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	MC						
	MD						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

no publisher	ME	<del>Slides used in Professor Ekins' lecture at the International Biotech RIA '88 Conference in Florence on 11<sup>th</sup> April 1988.</del>
JEB	MF	Lev. D. Gelb and K.E. Gubbins, "Characterization of Porous Glasses by Adsorption: Models, Simulations and Data Inversion", Fundamentals of Adsorption, Vol. 6, 1999, pp. 551-556.
JEB	MG	Pharmacia Catalogue 1998, page describing Hybond-NX.
no publisher	MH	<del>Translation of EP A 0197266 filed for UK national validation, 1991.</del>
no publisher	MI	<del>E. M. Southern, Award Molecular Bioanalytics 2004, Biography.</del>
no publisher	MJ	<del>Award Molecular Bioanalytics 2004.</del>
JEB	MK	Bio Array News, Vol. 1, No. 1, June 1, 2001, pp. 1-10.
JEB	ML	News Events, Journal of Biomolecular Techniques, Vol. 15, 2004, pp. 152-153.

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J.E.S. Bruner

DATE CONSIDERED

5 February 2006

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